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RUEHNAG/AMCONSUL NAGOYA PRIORITY 9495

RUEHNH/AMCONSUL NAHA PRIORITY 3910

RUEHOK/AMCONSUL OSAKA KOBE PRIORITY 5344

RUEHKSO/AMCONSUL SAPPORO PRIORITY 2119

RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC PRIORITY

RULSDMK/DEPT OF TRANSPORTATION WASHINGTON DC PRIORITY

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SENSITIVE

SIPDIS

STATE FOR EEB/TRA (DAS JOHN BYERLY AND K GUSTAVSON) AND
EAP/J

STATE PASS FAA FOR DI REIMOLD AND LIZ MULLIKAN

E.O. 12958: N/A

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SUBJECT: JAPAN'S STEPS TO CONCLUDE ENHANCED BILATERAL
AVIATION SAFETY AGREEMENT

¶1. (SBU) Summary: Japanese officials assert they are making progress to finalize the text of a Bilateral Aviation Safety Agreement (BASA), and MLIT officials reiterate their desire to finalize the document. The U.S. and Japan have been working for more than three years to conclude a BASA to enhance aviation safety and certification cooperation. The BASA would replace an outdated Bilateral Airworthiness Agreement (BAA) signed in the 1970s. Nevertheless, we anticipate further potential delays when MOFA takes the document for its final -- and needed -- approvals in the Cabinet Legal Office. End summary.

¶2. (SBU) The Ministry of Foreign Affairs (MOFA) Legal Department is reviewing Washington's suggested edits and explanations submitted December 5 in response to GOJ questions about the draft text. Once MOFA accepts these changes, the Cabinet Legal Office will initiate a detailed review of the document, according to MOFA North American Affairs Bureau First North America Division Deputy Director Takeomi Yamamoto. Yamamoto told Emboffs December 10 he does not anticipate further GOJ changes to the text, but could not say so definitively. He also noted MOFA will provide a Japanese translation of the document.

¶3. (SBU) The Japan Civil Aviation Bureau (JCAB), which falls under the Ministry of Land, Infrastructure, Transport, and Tourism (MLIT), is concerned the USG might discontinue BASA negotiations due to frustrations with the slow pace of finalizing the four-page document. A JCAB official reported December 12 MLIT does not plan to make any further revisions. He argued that a USG withdrawal from negotiations at this late juncture would be imprudent.

¶4. (SBU) The JCAB has reiterated on several occasions its eagerness to conclude the BASA, a quid pro quo for FAA to work with JCAB on certification oversight of the Mitsubishi Regional Jet (MRJ), officially launched by the Ministry of Economy, Trade and Industry (METI) in March 2008. (Note: GOJ officials have told us separately they view the MRJ as key to Japan's efforts to develop a civil aviation aircraft manufacturing sector, which they hope to eventually sell in the U.S. Japan has not produced a large aircraft for commercial use since the 1960s. End Note.)

Comment

¶5. (SBU) We continue to raise with MOFA and MLIT officials our desire to conclude a bilateral BASA. However, the

eagerness expressed from some corners of the GOJ to move forward on an agreement has yet to manifest into a coordinated call to action. While JCAB notes it expects no further revisions, we need to anticipate possible further delays when MOFA presents the BASA draft text to the Cabinet Legal Office, which is known for its assiduous attention to detail.

ZUMWALT